REMARKS

Claims 1-3 and 5-41 are pending with this paper. Claims 12-35 and 37-38 have been withdrawn from consideration. Claims 1-3, 5-11, 36, and 39 are rejected by the Office Action. Applicant is adding claims 40-41 in this paper.

Applicant believes that claim 39 has not been withdrawn from consideration even though the Office Action Summary indicates so.

Applicant is amending claim 1. Applicant acknowledges withdrawal of the rejection of claim 10 under 35 U.S.C. 112, second paragraph, in which the reference to "b)" is unclear.

The Office Action alleges that claims 1-3, 5-11, 36, and 39 are rejected under 35 U.S.C. § 102(e) as being anticipated by Suzuki et al. in view of Quartararo. Applicant believes that the Office Action is alleging that the above-mentioned claims are unpatentable over Suzuki in view of Quartararo under 35 U.S.C. §103(a). Applicant is responding in accordance with this understanding.

Applicant thanks the Examiner for telephonic discussions on March 15 and March 16, 2006. In the discussions, proposed amendments were discussed to overcome the prior art rejections. As will be discussed, Applicant is amending claim 1 to include additional features that are not suggested by the cited prior art combinations.

Claim Rejections – 35 U.S.C. § 112

Claims 1-3, 5, 6, 9, 10, 11, and 39 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

The Office Action alleges that there is no antecedent basis for "a plurality of sets of rules". Applicant is amending claim 1 to replace "a plurality of sets of rules" with "a plurality

of rule sets" in order to clarify what is being claimed even though Applicant disagrees that the claims, as previously submitted, are indefinite. (Emphasis added. In particular, Applicant wishes to point out that "set of rules" is distinct from "a plurality of sets of rules".) Applicant requests reconsideration of claims 1-3, 5-11, 36, and 39.

Claim Rejections – 35 U.S.C. § 103

Claims 1-3, 5, 6, 9, 10, 11, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,930,769 (Rose) in view of US 5,785,181 (Quartararo).

In order to better clarify what is being claimed, Applicant is amending claim 1 to include the features of "receiving an identification of a second article of clothing that satisfies the set of rules, **the set of rules providing an associated degree of matching for each attribute pair**" and "obtaining an identification of a selected clothing combination, **the selected clothing combination having a largest total degree of matching.**" (Emphasis added) The amendment is supported by the specification as originally filed, e.g., pages 25-27. As disclosed, an attribute pair includes different pairings such as a pair of clothing items or a mapped pair of a clothing style and a body type.

The combination of Rose and Quartararo does not even suggest the above features. Moreover, claims 2-3, 5, 6, 9, 10, 11, and 39 ultimately depend from claim 1 and are patentable for at least the above reasons. The Applicant requests reconsideration of claims 1-3, 5, 6, 9, 10, 11, and 39.

Claims 1-3, 5-11, 36, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. 6,313,745 (Suzuki) in view of Quartararo.

In order to better clarify what is being claimed, as discussed above, Applicant is amending claim 1 to include the features of "receiving an identification of a second article of

clothing that satisfies the set of rules, **the set of rules providing an associated degree of matching for each attribute pair**" and "obtaining an identification of a selected clothing combination, **the selected clothing combination having a largest total degree of matching.**" (Emphasis added.) The amendment is supported by the specification as originally filed, e.g., pages 25-27. As disclosed, an attribute pair includes different pairings such as a pair of clothing items or a mapped pair of a clothing style and a body type. The combination of Suzuki and Quartararo does not even suggest the above features. Moreover, claims 2-3, 5-11, 36, and 39 depend from claim 1 and are patentable for at least the above reasons. Applicant requests reconsideration of claims 1-3, 5-11, 36, and 39.

New Claims

Applicant is adding claim 40, which is supported by the specification as originally filed, e.g., pages 25-27.

Applicant is adding claim 41, which is supported by the specification as originally filed, e.g., paragraph 39 and Figures 3-4. Claim 41 depends from claim 1 and thus includes the features of claim 1. Moreover, Claim 41 includes the additional features of "presenting, to a user, a **plurality of search request types,**" "obtaining, from the user, **a selected search request type from the plurality of search request types,**" and "determining the set of rules **from the selected search request type.**" (Emphasis added.) The Office Action alleges that Rose discloses (Page 2.):

> ... transmitting the identification of the first article of clothing, the search request and the identification of the set of rules to a rules engine (Fig. 5 illustrates the result of such a transmission which occurs once the user inputs)...

In fig. 5, Rose merely discloses an analysis in which fashion shapes (corresponding to elements 50 and 52) are determined as a function of the body type (corresponding to "variable") of a customer. The Office Action further alleges (Page 6, Reply to Arguments):

> Applicant argues that the prior art fails to disclose "the identification of the set of rules identifies one of a plurality of sets of rules". This language is quite broad and it is the Examiner's position that both Rose and Suzuki answer to it as follows:
>
> Rose: since each body type has identified rules for dos and don't each tier of dos and don'ts is read as a set of a plurality of sets of rules for each body type col. 8 lines 58 et seq.
>
> Suzuki: engine 40 comprises similarity analysis module, a color analysis module and a brand analysis module, given that rules exist for each module, and a rule controlling for the involved module taken with those controlling for the other modules are read as the making one of a plurality of sets.

As alleged by the Office Action, Rose merely defines rules based only on a body type (e.g., the customer's unique body type 50 as shown in fig. 5 of Rose). However, Rose fails to even suggest a plurality of search request types. In fig. 5 as described in column 6, lines 56-59, Suzuki merely discloses product ID 48 being transmitted to AR engine 40. AR engine 40 takes product ID 48 and searches PLU table 180 for information about each of the identified products. Suzuki fails to disclose transmitting an identification to a search engine (e.g., AR engine 40) that identifies one of a plurality of rule sets. As alleged by the Office Action, Suzuki merely utilizes similarity analysis module 46, color analysis module 44, and a brand analysis module 46 regardless of the value of product ID 48. However, Suzuki fails to even suggest a plurality of selected search request types. Thus, claim 41 is patentable because the combination of Rose and Quartararo and the combination of Suzuki and Quartararo do not even suggest the features of "presenting, to a user, a plurality of search request types," "obtaining, from the user, a selected search request type from the plurality of search request types," and "determining the set of rules from the selected search request type."

It is respectively submitted that the present application is in condition for allowance, and a Notice to that effect is earnestly solicited.

Respectfully submitted,

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